

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 22-CR-150

LANDON J. NOW,

Defendant.

ORDER DENYING MOTION FOR ADJOURNMENT

Defendant Landon J. Now entered a plea of guilty to the crime of willfully receiving a firearm that had been shipped in interstate commerce while under an information charging a felony. He is currently on pretrial release with a sentencing date of October 12, 2023. Based on the Pretrial Services report of multiple positive drug tests, the court directed that a Notice to Appear be issued to return the defendant to court to show cause why his bond should not be revoked. After numerous unsuccessful attempts to schedule the hearing with Now's counsel, the clerks set the hearing for September 8, 2023, at 1:30 p.m. In response, Now has filed a motion to adjourn the hearing in which he claims he has legal commitments in the afternoon but would be available on the morning of September 8th. Counsel further contends that he needs time to gather information about the alleged failures or positive testing and to obtain a transcript of the previous bond revocation hearing.

The motion to adjourn is denied. Counsel's reference to unspecified legal proceedings previously scheduled is too vague for the court to grant his motion. Prior to scheduling the hearing, the clerk checked counsel's state court schedule via the Circuit Court Automation Project (CCAP)

and determined that he had no state court proceedings scheduled that afternoon. If other appointments exist, they could presumably be rescheduled. Further, to the extent that counsel believes the prior hearing would be relevant, he is free to obtain a recording of the hearing for a nominal cost (\$32) or request an expedited transcript from the court reporter. Finally, if counsel is able to raise serious doubt as to the test results, the court can continue the hearing for a later date. Given the number and frequency of the violations, however, counsel has failed to establish good cause for an adjournment. Accordingly, his motion is denied.

SO ORDERED at Green Bay, Wisconsin this 30th day of August, 2023.

s/ William C. Griesbach
William C. Griesbach
United States District Judge